

involving Claims 11 through 36 of the present application of Shoichi Yamazaki, et al. ("Yamazaki") and Claims 13 through 17 of U.S. Patent No. 5,768,024 (the "'024 Patent") to Koichi Takahashi ("Takahashi").

It will be appreciated that Yamazaki Claims 11 through 34 were discussed in the Request for Interference; accordingly, only Claims 35 and 36 are discussed below.

A. Correspondence of Additional Claims to Counts

Summary

Applicant respectfully submits that Yamazaki Claims 35/(11, 15, 19, 23, 27, and 31) and 36/(12, 13, 16, 17, 20, 21, 24, 25, 28, 29, 32, and 33) correspond to Count 1, and Claims 35/(14, 18, 22, 26, 30, and 34) correspond to Count 2.

Count 1

Applicant respectfully submits that Yamazaki Claims 35/(11, 15, 19, 23, 27, and 31) and 36/(12, 13, 16, 17, 20, 21, 24, 25, 28, 29, 32, and 33) correspond to Count 1. Those claims differ from Count 1 in aspects discussed in the Request for Interference with respect to Claims 11 through 13, 15 through 17, 19 through 21, 23 through 25, 27 through 29, and 31 through 33 from which they depend, and further in that the claims recite acrylic resin or glass as the medium for (a) the ocular optical system (Claim 35) or (b) the ocular optical system and the see-through optical element (Claim 36). However, Applicant respectfully submits that the

use of plastic and glass materials was known in the art. See, e.g., U.S. Patent No. 4,775,217 (Ellis), which shows, e.g., use of glass or plastics at col. 3, lines 66-67, and European Patent Document 0 583 116 (Ingleton), which shows, e.g., use of plastic at col. 2, line 40. For these reasons and those advanced in the Request for Interference with respect to Claims 11 through 13, 15 through 17, 19 through 21, 23 through 25, 27 through 29, and 31 through 33, Applicant respectfully submits that Yamazaki Claims 35/(11, 15, 19, 23, 27, and 31) and 36/(12, 13, 16, 17, 20, 21, 24, 25, 28, 29, 32, and 33) would have been obvious in view of Count 1 and therefore should correspond to that count.

#### Count 2

Applicant respectfully submits that Yamazaki Claims 35/(14, 18, 22, 26, 30, and 34) correspond to Count 2. Those claims differ from Count 2 in aspects discussed in the Request for Interference with respect to Claims 14, 18, 22, 26, 30, and 34 from which they depend, and further in that the claims recite acrylic resin or glass as the medium. However, Applicant respectfully submits that the use of plastic and glass materials was known in the art. See, e.g., U.S. Patent No. 4,775,217 (Ellis), which shows, e.g., use of glass or plastics at col. 3, lines 66-67, and European Patent Document 0 583 116 (Ingleton), which shows, e.g., use of plastic at col. 2, line 40. For these reasons and those advanced in the Request for Interference with respect to

Claims 14, 18, 22, 26, 30, and 34, Applicant respectfully submits that Yamazaki Claims 35/(14, 18, 22, 26, 30, and 34) would have been obvious in view of Count 2.

**B. Updated Summary of Proposed Interference**

The following tables summarize Applicant's proposal for the interference:

Applicant (Senior Party):	Shoichi Yamazaki
Application No.:	U.S. Patent Application No. 09/333,998 filed June 16, 1999
For:	HEAD-UP DISPLAY DEVICE WITH CURVED OPTICAL SURFACE HAVING TOTAL REFLECTION (AS AMENDED)
Assignee:	Canon Kabushiki Kaisha
Accorded Benefit (for Counts 1 and 2):	(1) U.S. Patent Application No. 08/959,285 filed October 24, 1997; (2) U.S. Patent Application No. 08/478,688 filed June 7, 1995; (3) Japanese Patent Application No. 6-130301 filed June 13, 1994; and (4) Japanese Patent Application No. 6-204268 filed August 5, 1994.
Claims corresponding to Count 1:	Claims 11 through 13, 15 through 17, 19 through 21, 23 through 25, 27 through 29, 31 through 33, 35/(11, 15, 19, 23, 27, and 31), and 36/(12, 13, 16, 17, 20, 21, 24, 25, 28, 29, 32, and 33)
Claims corresponding to Count 2:	Claims 14, 18, 22, 26, 30, 34, and 35/(14, 18, 22, 26, 30, and 34)

Patentee (Junior Party):	Koichi Takahashi
Application No.:	U.S. Patent Application No. 08/541,531 filed October 10, 1995, Patent No. 5,768,024 granted June 16, 1998
For:	IMAGE DISPLAY APPARATUS
Assignee:	Olympus Optical Co., Ltd.
Claims corresponding to Count 1:	Claims 13 through 16
Claims corresponding to Count 2:	Claim 17

CONCLUSION

Favorable consideration and an early declaration of interference are earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010.

All correspondence should continue to be directed to our  
below-listed address.

Respectfully submitted,

Daniel Hweck  
Attorney for Applicant  
Registration No. 37838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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